

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see Remarks, filed 11/10/2009, with respect to Claims 1-14 have been fully considered and are persuasive.
2. Applicant argues that among the combination of limitations for all of the claims in the instant application that are toward the "in combination a tube for storing micro-litre volumes and a multi-well plate..." and "a tube for storing fluid for use with a multi-well plate," and "a tube for storing fluid," that the tube must contain "a formation 13 bigger than the bore and likewise bigger than the body 11." As a result of the Arguments submitted on 11/10/2009, the rejection of 103 has been withdrawn.

### ***Allowable Subject Matter***

3. Claims 1-18 are allowed.
4. The following is an examiner's statement of reasons for allowance: Claims 1-18 are toward either "in combination a tube for storing micro-litre volumes and a multi-well plate..." or "a tube for storing fluid for use with a multi-well plate," or "tube for storing fluid," wherein in all of the independent and dependent claims for the invention the combination of limitations respectively for the invention must include: a deformable formation, flared portion, or flared connector portion as recited and wherein the bottom formation 13 of the tube must be bigger than the bore and likewise must be bigger than the body 11 (See Applicants remarks filed on 11/10/2009).

Art Unit: 1797

5. The prior art of record does not disclose nor suggest the in combination, or the tube that must be used with the correspondingly recited multi-well plate, or the recited tube.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Telephonic Inquiries***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOBBY RAMDHANIE whose telephone number is (571)270-3240. The examiner can normally be reached on Mon-Fri 8-5 (Alt Fri off).

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on 571-272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

10. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

Art Unit: 1797

assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. R./

/Walter D. Griffin/  
Supervisory Patent Examiner, Art Unit 1797